

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:08CR205
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
WAYNE SCHWARTE,)	
)	
Defendant.)	

NOW ON THIS 12th day of September, 2008, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On July 8, 2008, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 922(g)(1), 924(d) and Title 28, United States Code, Section 2461(c), based upon the Defendant's plea of guilty to Counts I and II of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in a Ruger .22 caliber handgun was forfeited to the United States.

2. On July 31, August 7 and 14, 2008, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said property. An Affidavit of Publication was filed herein on September 11, 2008 (Filing No. 23).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the Ruger .22 caliber handgun, held by any person or entity, is hereby forever barred and foreclosed.

C. The Ruger .22 caliber handgun, be, and the same hereby is, forfeited to the United States of America .

D. The United States Bureau of Alcohol, Tobacco and Firearms for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 12th day of September, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON, CHIEF JUDGE
United States District Court